



WEB COPY



W.P.No.25106 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.Nos.25106, 25108, 25112, 25115,
25116 & 25118 of 2022

N.Ekambaram	... Petitioner in W.P.No.25106/2022
R.Esakkimuthu	... Petitioner in W.P.No.25108/2022
J.Selvan	... Petitioner in W.P.No.25112/2022
K.M.Govindan	... Petitioner in W.P.No.25115/2022
M.Kuppan	... Petitioner in W.P.No.25116/2022
B.Ranganathan	... Petitioner in W.P.No.25118/2022

Vs

- 1.The Managing Director,
Tamil Nadu State Transport Corruption
(Villupuram Division), No.3/137, Salamedu,
Vallatha Reddy Post, Villupuram – 605 602.
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

... Respondents in all WPs

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representations of the petitioners dated 26.02.2020, 22.07.2022, 20.07.2022, 20.04.2022, 05.05.2022, 20.07.2022 respectively and to pay interest at the rate of 10% for the late payment of the gratuity amount and 12% interest for other legal dues and award cost.

In all WPs



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For Petitioners : Mr.S.Ravi

For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel (for R1)
: Mr.C.S.K.Sathish
Standing Counsel (for R2)

COMMON ORDER

Since the issue raised in these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, all these writ petitions were heard together and are being disposed of by this common order.

2. In respect of W.P.Nos.25108, 25112 & 25116 of 2022, the respective petitioners are Drivers, the remaining writ petitioners are Conductors who are working in the respondent Transport Corporation for several years.

3. On attaining superannuation, they retired from service. Though they retired from service in the year 2018 however immediately after retirement, the retirement and pensionary benefits payable to the respective petitioners have not immediately been paid or disbursed by the respondent Transport Corporation and it was belatedly paid after one year and more, therefore for the belated payment of retirement benefits in



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order to get interest, the petitioners had given representation individually on various dates i.e. 26.02.2020, 22.07.2022, 20.07.2022, 20.04.2022, 05.05.2022, 20.07.2022.

4. Since those representations have not been considered, the petitioners have come before this Court with the respective writ petitions.

5. Heard Mr.S.Ravi, learned counsel appearing for the petitioners and Mr.R.Venkatesa Perumal, learned Standing Counsel for the 1st respondent Transport Corporation and Mr.C.S.K.Sathish, learned Standing Counsel for the 2nd respondent.

6. The learned Standing Counsel for the 1st respondent would submit that, if at all there is a belated payment of the retirement benefits for which if they seek for interest, the maximum interest that has been allowed in similar cases by this Court is only 4%, therefore calculating the said interest for the said belated period, the representations of the petitioners would be considered and such amount of interest being calculating would be disbursed within a time frame that may be stipulated by this Court.



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7. Considering the limited scope of the prayer sought for and having regard to the said submissions made by the learned Standing Counsel appearing for the 1st respondent, this Court is inclined to dispose of these writ petitions with the following orders:

That there shall be a direction to the 1st respondent Transport Corporation to dispose the said representations dated 26.02.2020, 22.07.2022, 20.07.2022, 20.04.2022, 05.05.2022 and 20.07.2022 filed by the respective petitioners for calculating the interest for the belated payment of retirement benefits paid to them with the interest at the rate of 4% per annum and pay the same within a period of twelve weeks from the date of receipt of a copy of this order.

8. With this direction, these Writ Petitions are disposed of. No costs.

20.09.2022

Index : Yes/No
Speaking Order : Yes/No
Sgl



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R. SURESH KUMAR, J.

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